

**Central Information Commission, New Delhi**  
**File No.CIC/WB/A/2010/000965-SM**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : **18 August 2011**

**Date of decision** : **18 August 2011**

**Name of the Appellant** : **Shri Krishanlal Mittal**  
**1305, Dhruv, Ashok Van,**  
**Borivali East, Mumbai – 400 066.**

**Name of the Public Authority** : **CPIO, Central Information Commission,**  
**2<sup>nd</sup> Floor, B Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi...**

The Appellant was present.

On behalf of the Respondent, the following were present:-

- (i) Shri Tarun Kumar, JS & AA,
- (ii) Shri M.C. Sharma, Nodal CPIO,
- (iii) Shri Pankaj K P Shreyaskar, DS

**Chief Information Commissioner** : **Shri Satyananda Mishra**

2. Although this case had been fixed for hearing through video conferencing, on the express request of the Appellant, we heard him over telephone. The Respondents were present in our chamber. We heard their submissions.

3. The Appellant had sought a number of information regarding the cause

list of cases heard in various registries of the CIC as well as about cases heard out of turn. Although the CPIO had provided some information/clarification against all his queries, he had preferred an appeal before the first Appellate Authority. The first Appellate Authority had also offered some further information/clarification in his order. The Appellant was obviously not satisfied with the information provided and filed the second appeal before the CIC.

4. During the hearing, he submitted that the exact information sought by him against all his queries has not been provided. After carefully going through the queries raised by the Appellant in his RTI application, we noted that he had wanted the following information:

- i) the list of cases heard by the CIC and three other Information Commissioners since April 2009;
- ii) the list of month wise pending cases in the same registries;
- iii) the basis/reasons along with file notings for hearing the cases of two specific Appellants out of turn;
- iv) details of decisions taken in non-compliance/show cause hearings against the designated officers of the CIC;
- v) information about the functioning of the online system of complaints/appeal registration in the CIC as well as the details of cases registered online.

5. The Respondents submitted that except for the information regarding the functioning of the online system, the remaining information was not being

maintained in the manner in which it had been sought. For example, it was submitted that while the database of the CIC contained information regarding the listing of cases before individual Information Commissioners, there was no data available regarding the exact number of cases heard on a particular day. Similarly, while the total pendency of appeals and complaints in the CIC was available in the database, no data was available about the pendency of such cases registry wise. About the out of turn cases, it was submitted that registers had been prescribed to be maintained by every registry to record such cases; however, the reasons for taking up any particular case out of turn would not be reflected in that register and that each individual case would have to be scrutinised to capture exactly the basis or grounds for taking up that particular case out of turn, a task outside the scope of the Right to Information (RTI) Act.

6. While we tend to agree with the Respondents about the prevalent situation in regard to all search queries, we think that efforts must be made to generate such specific data for better monitoring of the working of the CIC. These issues should be brought up before the monthly meeting of the CIC as soon as possible but not later than two months from today to devise a plan of action. The question of according priority for hearing of cases for certain classes of Appellants/Complainants needs to be reconsidered. If this practice is to be continued, a system has to be devised by which the reasons for taking up any particular case out of turn should be disclosed in the order by which the case is disposed of so that every body can see why a particular case was taken up on priority.

7. In the light of the foregoing, while there is no new information to be provided to the Appellant in this case, we must record our appreciation for his

initiative to draw our attention to the need for a better monitoring system in the CIC. Needless to say, whatever new initiatives are taken in this regard, it would be disclosed in the website of the CIC for everyone including the Appellant to know.

8. We direct the CPIO to bring this order to the notice of the Secretary of the CIC for placing these issues in a meeting of the Commission in the coming months. The case is disposed off accordingly.

9. Copies of this order be given free of cost to the parties.

**(Satyananda Mishra)**  
**Chief Information Commissioner**

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

**(Vijay Bhalla)**  
**Deputy Registrar**